

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(GREENBELT DIVISION)**

MICHAEL LEACOCK, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

IONQ, INC., PETER CHAPMAN, THOMAS
KRAMER, NICCOLO DE MASI, HARRY
YOU, DARLA ANDERSON, FRANCESCA
LUTHI, AND CHARLES WERT,

Defendants.

Case No. 8:22-cv-01306-DLB

(Consolidated with Case No. 8:22-cv-
01536-DLB)

Hon. Deborah L. Boardman

**DEFENDANTS' MOTION TO DISMISS THE CONSOLIDATED AMENDED
COMPLAINT**

Defendants IonQ, Inc., Peter Chapman, and Thomas Kramer (collectively, “Defendants”), by and through their undersigned counsel, respectfully move to dismiss with prejudice Plaintiffs’ Consolidated Amended Complaint (“CAC”). Defendants’ Motion to Dismiss is made pursuant to Federal Rules of Civil Procedure 8, 9(b), and 12(b)(6) and the Private Securities Litigation Reform Act of 1995, Section 21(D)(b) of the Securities Exchange Act of 1934, as amended, 15 U.S.C. § 78u-4(b). This Motion is based on this Motion to Dismiss, the accompanying Memorandum of Points and Authorities, Motion for the Court to Incorporate by Reference and/or Take Judicial Notice of Certain Exhibits filed concurrently herewith, Declaration of Caitlin B. Munley in support of the Motion with attached exhibits, all pleadings and papers on file in this matter, and such other matters as may be presented to the Court at the hearing or otherwise.

Pursuant to Local Rule 105.6, Defendants hereby request a hearing on their Motion to Dismiss. A Proposed Order granting the relief requested herein is attached.

WHEREFORE, Defendants respectfully request that this Court dismiss the Consolidated Amended Complaint with prejudice and without leave to amend.

Dated: February 7, 2023

COOLEY LLP

By: /s/ David E. Mills

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*Counsel for Defendants IonQ, Inc., Peter
Chapman, and Thomas Kramer*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of February 2023, I caused the foregoing Motion to Dismiss the Consolidated Amended Complaint to be filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the counsel of record in this matter who are registered on the CM/ECF system.

Dated: February 7, 2023

COOLEY LLP

By: /s/ David E. Mills

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